

28 July 1966

MEMORANDUM FOR: Deputy Director for Support

SUBJECT: Bulletin Board Discrimination

1. Mrs. Grace Rosner's letter of July 25, 1966 refers to President Kennedy's Executive Order and Title 6, section 601, of the Civil Rights Act of 1964, as controlling any utilization of our bulletin board which may involve discrimination. Section 601 provides that, "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." This appears to deal with programs or activities supported by the Federal Government by way of grants, loans, or contracts, and, technically, it probably does not govern the utilization of a bulletin board.

2. The Executive Order Mrs. Rosner refers to is probably Executive Order 11063 of November 20, 1962, which is concerned with equal opportunity in housing. This Executive Order is directed to the prevention of discrimination in the sale, leasing, rental, or other disposition of residential property owned by the Federal Government or where Federal funds are involved. Again, technically, it would not appear to control the use of a bulletin board. However, there is no question that the broad congressional and Presidential intent is to prohibit any Federal involvement in discrimination, and even though not governed by a specific law it would seem that as a matter of policy the Agency should see that its bulletin boards are not in any way an instrument of discrimination. Accordingly, I suggest an answer to Mrs. Rosner in line with the attached draft.

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LAWRENCE R. HOUSTON
General Counsel

Attachment

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Dear Mrs. Rosner:

Thank you for your letter of July 25, 1966 concerning the posting of notices on the Agency's bulletin board about houses for sale or rent.

We do not believe there has been any violation of law or executive order in the manner in which the bulletin board has been maintained, but there is no question that we wish to comply with the policies expressed in the Civil Rights Act of 1964 and the various executive orders on nondiscrimination. In our case the use of the bulletin board is controlled by the Agency, and there is no problem in seeing to it that notices concerning property will be clear as to the fact that the property involved is available to all purchasers regardless of race, creed, or national origin.

Sincerely,

cc:

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